

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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CARL CHRISTIAN,

Civil No. 06-4151 (DSD/JJG)

Plaintiff,

v.

**ORDER**

STATE OF MINNESOTA,  
JOAN FABIAN, Commissioner of the  
Minnesota Department of Corrections,  
and E. UMOH,

Defendants.

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The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

**IT IS HEREBY ORDERED** that:

1. Plaintiff's "Application to Proceed Without Prepayment of Fees," (Docket No. 2), is DENIED; and

2. The action is DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), but without prejudice as to the state laws claims that Plaintiff has attempted to bring.

Dated: November 21, 2006

s/David S. Doty  
David S. Doty, Judge  
United States District Court